

**Board of Governors' Legal Committee
Charge of the Committee**

(Adopted by the Board of Governors, November 3, 2000)

1. Areas of Responsibility

The Legal (Litigation, President's) Committee or its successor committee shall keep itself informed of matters of significant concern to the State Bar and the status of significant matters pending before the staff and various State Bar components. Without limiting the generality of the foregoing it shall:

- a. Meet on a regular basis with key staff to evaluate progress in the accomplishment of tasks, and to exchange information and opinions on matters of concern to the State Bar, the board and the staff; and
- b. Review and establish priorities in relation to subjects proposed for consideration by the board prior to the distribution of each board meeting agenda for the purpose of facilitating board consideration of the items. In furtherance of this purpose, the Legal Committee or its successor committee may refer any item to an appropriate State Bar Committee or staff member for study and report to the board prior to board consideration thereof subject to the concurrence of the board.

(Source: Board of Governor's Resolution, September-October 1981, January 2000)

2. Authority

The Board Legal committee considers, recommends and reports to the president and Board of Governors concerning matters of a litigation or legal nature or matters with prospective or potential legal implications affecting the State Bar of California or its affiliate entities. It is authorized to act on behalf of the board when necessary between board meetings in the following instances: a) handling of litigation or claims for damages in which the State Bar is a party, or may become a party; (b) matters where the State Bar is an amicus curiae, or has been requested to seek amicus curiae participation.

(Source: Board of Governors' Resolutions, October 1976, October 1979, January 1991.)

3. Purview Determination

In consultation with the President of the State Bar, the Chair of the Legal Committee, the Office of General Counsel, or their representative designees, shall determine whether a resolution of the Conference of Delegates is within the purview of the Conference in accordance with the criteria set forth in Article VI, Sections 7D(3) and 7D(4) of the Rules and Regulations of the State Bar. The proponent of any resolution deemed outside of purview shall be notified in writing. The proponent may, within thirty (30) days of the mailing of such notice, but in no case later than noon of the day preceding the opening of the Conference of Delegates, submit in writing to the Executive Committee an appeal of such determination to the Conference stating the reasons and basis for the appeal. The Board of Governors or its designee shall monitor periodically the operation and implementation of the purview determination process.

(Source: Board of Governors' Resolution, August 1995.)

~~4. Quorum~~

~~A quorum of the Board Legal Committee shall consist of five (5) of its members.~~

~~(Source: Board of Governors' Resolution, January 1992.)~~

5.4 Oversight over Civil Enforcement Actions

In consultation with the chairs of the Board Committee on Legal Services and Client Relations or its successor committee, LRS Certification Subcommittee, the Board Legal Committee shall have oversight over civil enforcement actions pursuant to Business and Professions Code section 6155 et seq. (Uncertified Lawyer Referral Services: Authority for Civil Enforcement Actions) upon a determination that reasonable cause exists to believe that a violation of Business and Professions Code section 6155 has occurred.

(Source; Board of Governors' Resolution, August 1994.)